

## **Peace Treaty of Brest Litovsk 1918**

### **ARTICLE 1**

Germany, Austria-Hungary, Bulgaria and Turkey on the one hand and Russia on the other declare that the condition of war between them has ceased. They have decided to live in peace and accord in the future.

### **ARTICLE 2**

The contracting parties will refrain from all agitation or propaganda against the governments or all state and military institutions of the other side. Inasmuch as this obligation affects Russia, it affects also the territories occupied by the powers of the Quadruple Alliance.

### **ARTICLE 3**

The territories lying to the west of the line determined by the contracting powers and which formerly belonged to Russia will no longer be under her sovereignty. The line determined upon is marked on the appended map (Appendix I), which is an important part of the present treaty of peace.<sup>(3)</sup> The precise location of this line will be worked out by a German-Russian commission.

In respect to the mentioned territories no obligations towards Russia are to be considered as issuing from their formerly having belonged to that country.

Russia gives up all interference in the internal affairs of the said territories. Germany and Austria-Hungary intend to determine the future fate of the said territories with the consent of their inhabitants.

### **ARTICLE 4**

Germany is ready, as soon as general peace is established and Russian demobilization will have completely taken place, to vacate the territories lying east of the line mentioned in part 1 of Article 3, insomuch as Article 6 does not rule otherwise.

Russia will do all in her power to have the provinces of eastern Anatolia promptly evacuated and returned to Turkey.

The territories of Ardakhan, Kars and Batum will also be cleared without delay of Russian troops. Russia will not interfere in the new organization of internal juridical and international juridical relations of such territories, but will allow the populations of these territories to establish new governments in agreement with neighboring states, especially with Turkey.

## **ARTICLE 5**

Russia will, without delay, proceed to demobilize her army, including those army units newly formed by her present government.

Moreover Russia will either bring her warships into Russian ports and keep them there until general peace is concluded, or will disarm them at once. The warships of the countries continuing in a state of war with the Quadruple Alliance, in so far as such warships are within the sphere of Russian sovereignty, must be treated as Russian warships.

The prohibition zone of the Arctic Ocean remains in force until the conclusion of general peace. In the Baltic Sea and those parts of the Black Sea under Russia's supremacy, the clearing away of mine defense must be begun at once. Merchant navigation in those sea regions is free and is to recommence at once. Mixed commissions are to be formed for the purpose of framing more concise regulations and especially for the purpose of publication of general information as to safe courses of sailing for trading vessels. Such courses must always be free of floating mines.

## **ARTICLE 6**

Russia undertakes to conclude peace at once with the Ukrainian people's republic and to recognize the treaty of peace between the state and the powers of the Quadruple Alliance. The territory of the Ukraine must be, at once, cleared of Russian troops and of the Russian Red Guard. Russia ceases all agitation or propaganda against the government or the public institutions of the Ukrainian people's republic.

Esthonia and Livonia must be also immediately cleared of Russian troops and the Russian Red Guard. The eastern boundary of Esthonia passes in general along the River Narova. The eastern boundary of Livonia, in general, crosses the Lakes Chud [Peipus] and Pskov up to the southwestern corner of the latter, thence it runs across Lake Luban in the direction of Lievenhof on the Western Dvina. Esthonia and Livonia will be occupied by German police force until public safety is secured

by proper institutions of the country and until governmental order is reestablished. Russia will at once liberate all the inhabitants of Esthonia and Livonia who have been arrested or deported and will secure a safe return of all deported Esthonians and Livonians.

Finland and the Aland Islands will be also, without delay, cleared of Russian troops and the Russian Red Guard and Finnish ports of the Russian fleet and of Russian naval forces. While ice renders impossible the conveying of warships to Russian ports there must remain on board only a limited crew. Russia ceases all agitation or propaganda against the government or public institutions of Finland.

The fortifications constructed on the Aland Islands must be razed at the first opportunity. As regards the prohibition to erect fortifications of these islands in the future, as well as the question of their future in general in a military respect and in respect to the technical side of navigation, a special agreement must be concluded between Germany, Finland, Russia and Sweden; the parties consent that at Germany's desire other countries bordering the Baltic Sea may be called upon to take part in the above agreement.

#### **ARTICLE 7**

Considering the fact that Persia and Afghanistan are free and independent countries, the contracting parties bind themselves to respect the political and economic independence and the territorial inviolability of Persia and Afghanistan.

#### **ARTICLE 8**

The prisoners of war of both parties will be allowed to return home. The regulation of questions in connection with the above will be the subject of special treaties mentioned in [Article 12](#).

#### **ARTICLE 9**

The contracting parties mutually renounce all indemnifications for their war expenses, that is, for government expenses for conducting the war, as well as all compensation of war losses, that is, such losses as were caused them and their citizens in the zone of war by military operations, including all requisitions made in the enemy's country.

#### **ARTICLE 10**

Diplomatic and consular relations between the contracting parties are resumed at once after ratification of the treaty of peace. The question of allowing consuls of both parties free entrance will be decided by a separate agreement.

## **ARTICLE 11**

The economic relations between the powers of the Quadruple Alliance and Russia are regulated by decisions contained in Appendices II to V. [Appendix II](#) determines the relations between Germany and Russia, [Appendix III](#) between Austria-Hungary and Russia, [Appendix IV](#) between Bulgaria and Russia and [Appendix V](#) between Turkey and Russia.

## **ARTICLE 12**

The reestablishment of public and private legal relations, the exchange of war and civil prisoners, the question of amnesty as well as the question regarding merchant ships which have been seized by one or the other side, will be provided for in separate treaties with Russia, which form an important part of the present peace treaty, and as far as it is possible come into force simultaneously with the latter.

## **ARTICLE 13**

In interpreting this treaty the authentic texts for relations between Germany and Russia shall be the German and Russian texts, between Austria-Hungary and Russia the German, Hungarian and Russian texts, between Bulgaria and Russia the Bulgarian and Russian texts, between Turkey and Russia the Turkish and Russian texts.

## **ARTICLE 14**

The present peace treaty must be ratified. Exchange of ratification documents must take place in Berlin as soon as possible. The Russian Government binds itself to execute the exchange of ratification documents at the desire of one of the powers of the Quadruple Alliance in the course of two weeks. The peace treaty enters into force at the moment of its ratification, unless otherwise stipulated in the respective articles, appendices thereof or supplementary agreements thereto.

In witness thereof the plenipotentiaries have with their own hand signed the present treaty.

Done in quintuplicate, Brest Litovsk, March 3,1918.

**THE GERMAN-RUSSIAN AGREEMENT, SUPPLEMENTARY TO THE  
PEACE TREATY CONCLUDED BETWEEN GERMANY, AUSTRIA-  
HUNGARY, BULGARIA AND TURKEY ON THE ONE HAND AND  
RUSSIA ON THE OTHER**

On the basis of [Article 12](#) of the peace treaty, concluded between Germany, Austria-Hungary, Bulgaria and Turkey on the one hand and Russia on the other, the duly commissioned representatives of the German Empire and the plenipotentiary representatives of the Russian Federal Republic of Soviets have agreed to regulate immediately the reestablishment of public and private juridical relations between Germany and Russia, the exchange of war and civil prisoners, the care of returning fugitives, the amnesty provided for by the conclusion of peace, and also to define the status of merchant vessels fallen into the hands of the enemy, and for this purpose to conclude a supplementary agreement to the peace treaty.

These representatives having duly established that their respective full powers which were used at the signing of the peace treaty also empowered them to deal with the questions above enumerated, entered into agreement in regard to the following:

**CHAPTER I.-Reestablishment of Diplomatic and consular relations**

**ARTICLE 1**

On the reestablishment of consular relations in accordance with the terms of Article 10 of the treaty of peace, each high contracting party agrees to admit consuls of the other party to all parts of its territory, except to such places where, for reason of mixed dialect or other, exceptions were made before the war and in so far as such exceptions will equally apply after the war to any third state without any exception whatsoever.

In the same manner each high contracting party reserves the right, for military reasons, to admit consuls to certain places only after the conclusion of universal peace.

## **ARTICLE 2**

Each high contracting party indemnifies all losses which have been caused during the war within her territory in violation of international law by any action of governing bodies or by the population towards the diplomatic and consular agents of the other, its embassy or consular property, movable or immovable.

## **CHAPTER II.-Reestablishment of political treaties.**

### **ARTICLE 3**

Treaties, agreements and conventions, which were in force between the contracting parties before the declaration of the war, shall again enter into legal power after the ratification of the peace treaty and the present supplementary agreement with the exception of such cases as may include contradictory decisions and with the exception of cases where these treaties, agreements and conventions were concluded for a definite period, in which cases this period will be prolonged to cover the war.

### **ARTICLE 4**

Each of the contracting parties may advise the other in the course of six months after the signing of the peace treaty what treaties, agreements, or conventions, or their separate decisions are contradictory, in its opinion, to the changes that have taken place during the war. Such agreements or treaties must, as soon as possible, be replaced by new ones, corresponding to the changed views and relations.

For the composing of new treaties provided for in paragraph 1, a commission, consisting of representatives of both sides, will be convoked in Berlin in the course of six months after the ratification of the peace treaty. In case the commission in the course of three months after its convocation does not arrive at any agreement, each party has the right to renounce such treaties regarding which it notified the other party as per the first part of paragraph 1; if this concerns separate articles of any treaty, the other party has the right to reject the whole treaty.

### **ARTICLE 5**

Treaties, agreements and conventions in which, besides the contracting parties, other powers take part, enter into force for both parties after the ratification of the peace treaty, in so far as they do not contain contradictory decisions. Separate treaties between both parties, which are connected with collective treaties, are not

affected by the provisions of [Article 3](#) regarding prolongation of the validity of treaties and Article 4 regarding rejection of treaties. After the conclusion of general peace, both parties reserve the right to take up a definite position in relation to collective treaties of a political nature in which also take part Other belligerent powers.

### **CHAPTER III.-Restoration of private juridical relations**

#### **ARTICLE 6**

All regulations existing in the territory of one of the contracting parties, by which the subjects of the other party, on account of special war conditions, are subject to any special limitations (war legislation) in respect to their private rights, become null and void after the ratification of the peace treaty.

Just as subjects of each of the contracting parties are regarded, just so are to be regarded juridical persons and companies who have their permanent residence in its territory. Juridical persons and companies who have no permanent residence in its territory, will be placed on equal terms with the country's own subjects, in so far as they are affected in the territory of the other party by regulations governing these subjects.

#### **ARTICLE 7**

Regarding private debt relations in so far as same have been influenced by the laws of war time the following is decided:

1. Debt relations are reestablished unless stipulated otherwise in Articles 7 to [11](#).

2. The substance of 1 does not prevent the question regarding influence of circumstances created by the war on debt relations, particularly the impossibility of fulfilling same owing to transportation difficulties or commercial prohibitions, from being decided in the territory of each contracting party according to the laws common to all inhabitants of the country.

The subjects of the party who are restricted in their rights, owing to the measures taken by the opposing party, must not be placed under less favorable conditions than the country's own subjects who are affected by these measures. In the same manner no one whom the war prevented from fulfilling in due time any

kind of obligation should be bound to reimburse losses arising through these circumstances.

3. Pecuniary obligations, the settlement of which was refused during the war on the ground of war legislation, need not be paid before the expiration of six months after the ratification of the peace treaty. On these obligations interest must be paid for the term beginning with the date the payment was due until the termination of the war and for the additional six months at the rate of 5 per cent per annum, disregarding moratoriums; in case interest was stipulated for the original term of payment, such interest must also be paid.

The contracting parties reserve the right to work out more concise regulations regarding legislation in respect to bills of exchange and checks as well as transactions in foreign currency.

4. For the liquidation of debts and other private legal obligations, both contracting parties acknowledge and admit associations recognized by the state for the protection of creditors' interests, in the capacity of authorized solicitors of natural and juridical persons.

## **ARTICLE 8**

Each contracting party, including the states constituting it, immediately after the ratification of the peace treaty renews the payment of its obligations, especially of interest on state liabilities, to the citizens of the other party. Obligations for which payment was due before the ratification of the peace treaty, are to be paid within six months after the ratification..

The regulation contained in part 1 does not apply to claims presented to one party which claims became the property of a subject of the other party only after the signing of the peace treaty.

## **ARTICLE 9**

Regarding the rights of copyright, the rights of industrial patents, concessions and privileges and all similar claims of public legal nature, inasmuch as same have been affected by the laws of war time, the following resolutions are made:

1. The rights indicated in the beginning of the article are reestablished unless otherwise stipulated in [Article 11](#). The holder of the right is released from dues which should have been paid during the time when he was deprived of the



possibility of enjoying same; should these dues have been paid they are subject to reimbursement; in case the state has received a profit exceeding the dues to be paid, owing to the fact that the above-mentioned rights have been enjoyed by third parties, the surplus is to be paid to the holder of the right.

In accordance with the degree in which the state has utilized the appropriated rights, the holder of the right should be correspondingly recompensed.

2. Each contracting party extends to the citizens of the opposing party a term of not less than one year from the ratification of the peace treaty, in order to allow them to take necessary action, provided this does not violate the legally appropriated rights of third persons to establish or maintain the rights of an industrial patent, in case the legal term given for such action has been allowed to lapse owing to the war.

Industrial patents of the citizens of one party can not be declared invalid on the territory of the other party on the strength of their not having been put to use earlier than four years after the ratification.

3. The stipulation of part 1 of paragraph 1 shall not apply to concessions and privileges, nor to analogous claims in the nature of a public right, in so far as the same have been rescinded or have been declared to have passed into the hands of the state or of the local self-government and remain in their possession on the grounds of legislative acts obligatory for all the inhabitants of the country and applying to all rights of the same kind; in these cases the compensation of the owner of the right is determined by the stipulations of [Article 13](#).

4. The contracting parties reserve the right to work out special legislation in regard to the priority of the right to industrial patents.

## **ARTICLE 10**

The terms of expiration of rights shall not expire in the territory of one of the contracting parties for the citizens of the opposite party earlier than after the lapse of one year after the ratification of the peace treaty, in so far as they did not expire up to the time of the declaration of war. The same applies to the periods for the presentation of interest certificates and dividend certificates, as well as to securities which have become payable through drawing of lots or other causes.

## **ARTICLE 11**

The activity of institutions engaged, on strength of war legislation, in supervising, safeguarding, managing or liquidating properties or collecting payments, shall, without violations of stipulations of [Articles 12](#) and [13](#), be liquidated in accordance with the following fundamental rules:

1. Properties which are under supervision, safeguard or management must be withdrawn from same immediately at the request of the proprietors; up to the time of being taken over by the latter, their interests must be safeguarded.

Moneys and securities located in the central institution for safekeeping valuables, or with society for deposit operations, or in any other savings institution recognized by the state, shall be placed at the disposal of their respective proprietors within three months after the ratification of the peace treaty; interest must be paid out together with moneys at the rate of 4 per cent per annum from the time of making the deposit; accrued interest and dividends shall be paid out together with the securities.

2. The stipulations of paragraph 1 shall not infringe upon legally acquired rights of third persons. Payments and other obligations of the debtor, paid in to the institutions mentioned at the beginning of the present article, or to their order, shall, on the territory of contracting parties, have the same status as if the creditor himself had received them.

Private legal measures taken by these institutions, at their occasion, or for them, are valid for both parties.

3. Respecting the activity of institutions mentioned at the commencement of this article, particularly regarding receipts and disbursements, information must be supplied immediately at their request to persons entitled to such.

Claims for compensation for losses caused by the actions of these institutions or by actions performed at their direction, may be presented only in accordance with stipulations of [Article 13](#).

## **ARTICLE 12**

Parcels of land or rights to a parcel of land, privileges for the working of the subsoil, and also rights to the use or exploitation of parcels of land, of an enterprise or a share in an enterprise, especially shares expropriated or forcibly seized in connection with war legislation, must be restored to the former proprietor within one year after the ratification of the peace treaty on the strength of a claim having

been tendered,<sup>(4)</sup> after deducting profits accrued to him as a result of the said expropriation or seizure, exempt from all rights established in the meantime by third parties.

The stipulations of part 1 do not apply in so far as the properties expropriated have passed into the lands of the state or of the local self-government and remain in their possession on the ground of legislative acts obligatory for all the inhabitants of the country and for all properties of the same kind. In these cases the compensation to the owner is determined in accordance with the stipulations of [Art. 13](#). In the case of such a transfer being rescinded, the demand for restoration provided for in part 1 may be presented in the course of one year after the rescinding.

## **CHAPTER IV.-Compensation for Civil losses**

### **ARTICLE 13**

A subject of one of the contracting parties, who has sustained a loss in property on the territory of the opposite party, in consequence of war legislation, owing to having been temporarily or permanently deprived of author's rights, industrial patents, concessions, privileges and such like claims to rights, or owing to supervision, safeguarding, management or expropriation of his' property, must receive corresponding compensation, in so far as the loss has not been compensated for by the restoration of the former state of affairs.. This refers to shareholders who, in the capacity of subjects of hostile countries, were deprived of the right of preemption.

### **ARTICLE 14**

Each contracting party shall recompense the civilians of the opposite party for losses caused to them on the territory, during time of the war, by state institutions, or by the population, by acts of violence to life, health and property, contrary to international law. This stipulation also applies to losses sustained by subjects of one party in their capacity of participants in institutions located on the territory of the opposite party.

### **ARTICLE 15**

To establish losses which must be compensated for according to Articles 13 and 14, a commission shall be convoked at Petrograd, shortly after the ratification of the peace treaty, formed of representatives of both parties and neutral members in

equal numbers; the parties will apply to the President of the Swiss Federal Council to designate the neutral members, including the chairman of the commission.

The commission will establish the fundamental bases by which it will be guided in its decisions. It also will establish the order of conducting the affairs necessary for the fulfillment of its task, and will decide upon the action to be taken for this purpose. Its decisions are reached in subcommissions consisting of one representative of each party and one neutral chairman. The sums determined upon by the subcommissions must be paid within one month after the amount has been established.

## **ARTICLE 16**

Each contracting party will immediately settle for all articles taken by it on its territory from citizens of the opposite party, in so far as this has not been done already.

A special agreement shall be made in regard to determining the compensation for such property values of subjects of one party as are not taken into account among the cases enumerated in paragraph 3 of [Article 9](#), and part 2 of [Article 12](#), and were expropriated, without a sufficient compensation, on the territory of the opposite party.

## **CHAPTER V.-Exchange of war prisoners and Civil prisoners**

### **ARTICLE 17**

The exchange of prisoners of war provided for in [Article 8 of the peace treaty](#) is governed by the following regulations:

1. The prisoners of war of both parties shall be set at liberty to return home, in so far as they do not desire, with the consent of the state which took them prisoners, to remain within its boundaries, or leave for another country.

The exchange of prisoners of war unfit for military service, which has already begun, will be continued with the greatest possible speed.

The exchange of other prisoners of war will take place as speedily as possible at established intervals of time to be exactly determined upon by means of a mutual agreement.

Russia will admit and assist, as far as possible, on its territory German commissions which will be charged with the care for German prisoners of war.

2. In liberating prisoners of war, there shall be restored to them their private property which was taken away from them by the authorities of the state which took them prisoners, and also that part of their earnings which has not yet been paid or credited them; this obligation does not apply to written documents of military contents.

3. Each of the contracting parties will refund such expenses for the maintenance of its citizens who have been taken prisoners, incurred by the opposite party, in so far as these expenses have not been compensated for by the work of the prisoners of war in state or private establishments.

The payment will be made in the currency of the state which made the prisoners, in separate instalments for each 60,000 persons, to be paid each time within one week of departure.

4. Immediately upon ratification the peace treaty a commission shall be convoked at a place yet to be determined upon consisting of four representatives of each of the parties, for the purpose of defining the intervals of time provided for in part 3 of paragraph 1, and also other details of the exchange, especially the method anti procedure of repatriation, and in order to supervise the putting into effect of the agreements arrived at.

Furthermore, the commission will establish the expenses in connection with prisoners of war, provided for in paragraph 3, liable to a refund by both parties. If in the course of two months after the commencement of its work the commission does not arrive at an agreement in regard to these expenses, the latter shall be definitely established after calling in a neutral chairman by a majority of votes; the parties will apply to the President of the Swiss Federal Council to nominate the chairman of the commission.

## **ARTICLE 18**

The repatriation of civil prisoners shall be governed by the following regulations:

1. The interned or deported civil prisoners of both parties shall be repatriated free of charge, as soon as possible, in so far as they do not desire, with the consent

of that state in which they are located, to remain within its boundaries or to leave for another country.

The agreement concluded at Petrograd in regard to repatriating civil prisoners shall be put into effect with the greatest possible speed.

The commission provided for in paragraph 4 of [Article 17](#) shall settle the questions left open in the Petrograd negotiations, and see to the carrying out of the agreements arrived at.

The German commissions provided for in part 4 of paragraph 1 of [Article 17](#) shall undertake also the care for German civil prisoners.

2. The subjects of one of the parties who, at the commencement of the war, were residing on the territory of the opposite party and had industrial or commercial enterprises there, who are no longer there, may return as soon as the opposite party ceases to be in a state of war. A return may be refused only for reasons of the internal safety of the state.

As evidence a passport will suffice issued by the authorities of the home country in which shall be stated that the owner of the same belongs to the class of persons specified in part 1; a visa on the passport is not necessary.

## **ARTICLE 19**

The nationals of each of the contracting parties shall not be subjected on the territory of the opposite party, for the time that their industrial or commercial enterprise was not in operation or that they were unable to occupy themselves with their trade, owing to the war, to any assessments, deductions, taxes or dues for their industrial or commercial enterprises or other trade activities. Amounts which, in accordance with the foregoing, were not liable to collection, but which had already been levied, must be refunded in the course of six months after the ratification of the peace treaty.

The stipulations of part 1 shall correspondingly apply to commercial and industrial societies (companies) in which the subjects of one of the parties participated as members, shareholders or in some other capacity, and whose establishments on the territory of the opposite party were not in operation in consequence of the war.

## **ARTICLE 20**

Each of the contracting parties obligates itself to honor and to maintain in order the graves located on its territory of military as well as other subjects of the opposite party who died during the time of internment or deportation; the persons empowered by this party shall be entitled to enter into agreement with the local authorities in regard to the maintenance and adornment of the graves. In regard to separate questions connected with the maintenance of graves, further agreements will be concluded.

## **CHAPTER VI.-Care of the repatriated**

### **ARTICLE 21**

The subjects of each of the contracting parties who resided on the territory of the opposite party shall, by means of an agreement with the authorities of this party, be given the right to return to their home country in the course of ten years after the ratification of the peace treaty.

Persons who have the right to return to their home country must, at their request, be allowed to leave the country in which they lived up to that time. No hindrance or difficulty shall be put in their way in their written or verbal communications with the diplomatic or consular representatives of their home country.

The German commissions provided for in part 4, paragraph 1, [Article 17](#), will also take upon themselves the care for the German reemigrants.

### **ARTICLE 22**

Those returning home shall receive a fair indemnification for the injuries caused to them during the time of the war owing to their origin, and, in realization of their right to repatriation, they are not to suffer any detriment of a proprietary or legal character. They shall be entitled to liquidate their property and to take away with them the amount realized, as well as other movable articles; furthermore, they are entitled to repudiate lease contracts, on contrition of giving six months' notice, and the lessor, in this case, is not entitled to claim damages caused to him by the premature cancellation of the lease cony act.

## **CHAPTER VII.-Amnesty**

### **ARTICLE 23**

Each of the contracting parties shall grant to the subjects of the other party immunity from punishment in accordance with the following regulations:

1. Each of the contracting parties grants to the prisoners of war of the opposite party full immunity from punishment for actions committed by them subject to judicial or disciplinary punishment.

2. Each of the contracting parties grants to the civil prisoners of the opposite party who were interned or deported during the war, a complete immunity from punishment for actions committed by them during the time of interment or deportation, subject to judicial or disciplinary punishment.

3. Each of the contracting parties grants to all subjects of the opposite party full immunity from punishment for punishable actions committed by them for the benefit of this party, and for digressions against exceptional laws promulgated in relation to subjects of the hostile country.

4. The immunity from punishment provided for in paragraphs 1 and 2 shall not extend to actions committed after the ratification of the peace treaty.

## **ARTICLE 24**

Each of the contracting parties shall grant full immunity from punishment to persons belonging to its own army for work done by them in the capacity of prisoners of war to the opposite party. The same applies to work done by civil prisoners of both parties during the time of their internment or deportation.

## **ARTICLE 25**

Each of the contracting parties shall grant to inhabitants of its territory occupied by the opposite party complete immunity from punishment for their political or military conduct during the time of occupation.

Irrespective of the cases specified in part 1, each of the parties shall grant to the inhabitants of territories which, in accordance with [Articles 3](#) and [5](#) of the treaty of peace, are no longer in the sovereign possession of Russia or which must be evacuated by Russian troops, full immunity from punishment for their political or military conduct prior to the ratification of the peace treaty.

## **ARTICLE 26**



In so far as by the stipulations of [Articles 23](#) and [25](#) immunity from punishment is granted, no new lawsuits are commenced, and those already commenced shall be stopped, and the punishments already pronounced shall not be put into effect.

Prisoners of war who were under preliminary arrest or in prison for military or state treason, premeditated murder, robbery, extortionate robbery, premeditated arson or crime against morality, may be retained under arrest up to the time of their repatriation, which shall coincide as far as possible with the first exchange of those fit for military service. Furthermore, Germany reserves, up to the conclusion of general peace, the right to take such measures against persons to whom she grants immunity from punishment as are necessary for the interests of her military safety.

Persons to whom immunity from punishment has been granted, and their families, shall also not be subjected to other limitation of rights; if this has taken place, they shall be restored to their former position.

## **ARTICLE. 27**

The contracting parties reserve the right to conclude further agreements, on the grounds of which each of the parties will grant immunity from punishment and other limitations of rights for actions committed to its detriment.

## **CHAPTER VIII.-Status of merchant vessels and cargoes which have fallen into the hands of the enemy**

### **ARTICLE 28**

To merchant vessels of the contracting parties and to their cargoes shall apply, irrespective of contrary decisions of prize courts, the [sixth Hague convention of the 18th of October 1907,\(5\)](#) relating to the treatment of merchant vessels of the enemy country at the commencement of the operations of war, on the basis of the following regulations:

The permit for leaving the harbor in the sense of part 1 of [Article 2](#) of the said convention can be considered as granted only when this has been recognized by the other enemy maritime powers as well. Merchant vessels which, in accordance with part 2 of [Article 2](#) have been utilized, shall either be returned worth for the time of their having been utilized, or, in the event of their having perished, their value is to be refunded in money. In regard to merchant vessels which were not utilized, the country under whose flag they sailed shall refund the reconditioning expenses, but not the fee for their lying in harbor and other expenses In connection therewith.

Merchant vessels which, due to their construction, may be converted into warships are included with the other merchant vessels, irrespective of [Article 5](#) of the said convention.

The stipulations of this article also apply to those merchant vessels which were utilized or seized prior to the commencement of the war.

## **ARTICLE 29**

Merchant vessels of the contracting parties, seized as prizes, must be definitely considered as such, if, prior to the signing of the peace treaty, they have been recognized as prizes by the legal Judgments of the prize courts, and if they do not come under the stipulations of [Articles 28](#) and [30](#). In all other cases they must be returned; if they have perished, their value shall be refunded in money.

The stipulations of part 1 apply to cargoes of subjects of the contracting parties seized as prizes. However, the property of subjects of one party, which, being on board of a vessel under enemy flag, was seized by the opposite party, shall in all cases be restored to the owner, and if this be impossible, its value shall be refunded in money.

## **ARTICLE 30**

Merchant vessels of one of the contracting parties which were seized, confiscated or sunk by the military forces of the opposite party in neutral territorial waters, shall be, as well as their cargoes, irrespective of decisions of prize courts to the contrary, restored, and if they no longer exist, their value shall be refunded in money; for the period of time up to the restoration of the refund of the value of the vessel, compensation shall be made.

## **ARTICLE 31**

Merchant vessels which must be returned in accordance with [Articles 28](#) to [30](#) are placed at the disposal of the country under whose flag they sailed, immediately after ratification of the peace treaty, in the state in which they are at the time and in the harbor in which they are lying. If such vessel is at sea on the day of the ratification, then, after the termination of her voyage and the discharge of the cargo which she had on board on this day, and in no case later than within one month's time, she must be returned, for the interval of time freights are paid at the highest daily rate.

If, during the time of the utilization of a vessel liable to be returned in accordance with [Article 28](#), her condition has deteriorated to a greater extent than from ordinary wear, this must be correspondingly compensated for. The same applies to a vessel liable to be returned in accordance with [Article 30](#), even if she was not utilized. For damage or losses caused after the cessation of military operations by the party which is obliged to return the vessel, a compensation is to be made in all cases.

As compensation for a vessel no longer in existence, the selling price for same on the day of the ratification the peace treaty must be paid. As compensation for utilization, freight shall be paid at the normal delivery rate.

## **ARTICLE 32**

Immediately upon the ratification of the peace treaty, a commission shall be convoked at a place to be determined upon in the future, to put into effect the stipulations contained in [Articles 28 to 31](#), which commission will consist of two representatives of each of the contracting parties and a neutral chairman. The parties will apply to the President of the Swiss Federal Council for nomination of the chairman of the commission. The commission shall chiefly solve questions as to whether in the individual cases there are grounds for returning or refunding the value of a vessel or for the payment of a compensation and determine the amount to be paid in the currency of the country under whose flag the vessel sailed. These amounts, in the course of one month after they have been determined upon, are to be placed at the disposal of the country under whose flag the vessel sailed, for transmission to the owner of the vessel.

## **CHAPTER IX.-Organization of the Spitsbergen Archipelago**

### **ARTICLE 33**

The contracting parties will endeavor to attain that in the international organization of the Spitsbergen Archipelago, provided for in the Spitsbergen conference of 1914, both parties shall be placed on an equal footing.

For this purpose the Governments of both parties will ask the Royal Norwegian Government to convoke as soon as possible after the conclusion of general peace a continuation of the Spitsbergen conference.

## **CHAPTER X.-Concluding Regulations**

## **ARTICLE 34**

The present additional agreement, forming an essential part of the treaty of peace, must be ratified and the exchange of the ratification acts must take place simultaneously with the exchange of the ratification acts of the peace treaty.

## **ARTICLE 35**

The additional agreement takes effect, in so far as nothing to the contrary is stated in it, simultaneously with the peace treaty.

For the purpose of supplementing the present agreement, especially as regards the concluding of further agreements provided for in it, the representatives of the contracting parties must meet in Berlin within four months of the ratification, when also the application of the stipulations of the present additional agreement in territories which are under German protectorate will be settled.

In witness whereof the plenipotentiaries have signed the present additional agreement with their own hand.

Done in duplicate, Brest Litovsk, March 3, 1918.

## **VARIATIONS OF THE AUSTRO-HUNGARIAN-RUSSIAN ADDITIONAL AGREEMENT FROM THE GERMAN-RUSSIAN**

1. In Article 2: (6) The contracting parties obligate themselves to refund to each other all sums which one party paid out to the other in the territories occupied by it, in the shape of maintenance, pensions, and subsidies to subjects of the opposite party (to pensioners, to widows, to orphans and to relatives of soldiers).

2. In lieu of Article 8: The stipulations of this agreement do not apply to the circulation of securities and to obligations emanating from the ownership of such, and the settlement of the questions connected with this is subject to a special agreement.

In regard to the regulations of mutual state obligations resulting from public debts, from settlements of railroads, mail and telegraph managements and so forth the contracting parties will conclude separate agreements.

3. Incorporate in Article 17: The expenses in connection with transportation of prisoners of war to frontier transfer station will be borne by the country which returns the prisoners of war.

4. In lieu of paragraph 3 of Article 17: The expenses in connection with prisoners of war, which, in accordance with the regulations of international law, are subject to refund, shall be mutually established in accordance with the numbers of the prisoners of war.

5. Omit part 2 of paragraph 4 of Article 17.

6. Omit Article 25.

7. Omit in Article 26 from the words furthermore Germany reserves to the end, and Article 27.

8. Omit Article 33.

## **VARIATIONS OF THE BULGARIAN-RUSSIAN ADDITIONAL AGREEMENT FROM THE GERMAN-RUSSIAN**

The Bulgarian-Russian additional agreement is considerably shorter than the German-Russian. Instead of whole chapters, divided into series of detailed articles, only general definitions are given. The following clauses are the most essential:

1. From Article 3: (7) Inasmuch as all treaties, conventions and agreements between Bulgaria and Russia, which were in force prior to the war, had to be considered invalid from the declaration of the war, the Governments of both parties obligate themselves to conclude consular and other agreements for regulating juridical and commercial relations.

2. Article 4: Postal and telegraphic intercourse between Bulgaria and Russia shall be resumed immediately upon ratification of the present treaty in accordance with the stipulations of the postal telegraphic convention and the agreements and regulations of the international postal and telegraphic union.

3. From article 5: All temporary laws, decrees and orders issued during the time of war against subjects of the opposite party shall be rescinded.

4. From Article 6: Subjects of both parties, as regards relations of indebtedness, shall be granted the same advantages as each of the contracting parties grants to its own subjects.

## **VARIATIONS OF THE TURKISH-RUSSIAN ADDITIONAL AGREEMENT FROM THE GERMAN-RUSSIAN**

The agreement bears the same character as the Bulgarian-Russian. The following clauses are the most essential:

[This section of the telegram is omitted, as the agreement is printed in full below, page 471.]

### **APPENDICES II TO V**

To the treaty of peace between Germany, Austria-Hungary, Bulgaria and Turkey, on one hand, and Russia, On the other hand-Economic agreements between (1) Germany and Russia, Appendix II-(2) Austria-Hungary and Russia, Appendix III-(3) Bulgaria and Russia, Appendix IV-(4)Turkey and Russia, Appendix V

## **GERMANY AND RUSSIA**

### **APPENDIX II**

In regard to economic relations between Germany and Russia the following agreement is established:

1. The German-Russian commercial treaty of 1894/1904 does not again take effect.

The contracting parties obligate themselves to commence negotiations regarding conclusion of a new commercial treaty as soon as possible after the conclusion of a general peace between Germany on the one part, and the European countries at present at war with her and the United States of America and Japan on the other part.

2. As the basis of the commercial corelationship up to the term mentioned, and in any case up to the 31st of December, 1919, shall be considered the regulations contained in the present appendix, which regulations form an integral part of the present peace treaty. Both contracting parties, are, however, entitled to repudiate these regulations beginning from the 30th of June, 1919, on condition of giving six

months' notice. In case of this right of repudiation being utilized before the 31st of December, 1922, then, for a term of three years, reckoning from the date of the cessation of the activity of the stipulations contained in the present appendix, the principle of the most-favored nation shall be established on the territory of the opposite party for the subjects, for commercial, industrial and financial companies, including insurance companies, for the products of agriculture and industries and for vessels of both contracting parties. These regulations extend particularly to:

(a) Acquisition and ownership of movable and immovable property, disposition of same, occupation in commerce, industry and other professions, as well as to dues levied in these instances;

(b) Import and export and transit of goods, customs dues and customs formalities, internal dues on consumption and the like, and the prohibition of transportations;

(c) Procedure If the state administration, or administration under the control of the state, of monopolies of one of the contracting parties in relation to buyers or sellers of the opposite party in establishing prices, or in other business intercourse;

(d) Transportation and transportation tariffs on railways and other ways of communication;

(e) Admission and status of ships, their crews and cargoes, as well as ship's dues;

(f) Transportation of passengers by forwarding agencies, including transportation of emigrants by land and sea and the activity of emigration agents.

3. During the entire time of the application of the principle of the most-favored nation, neither of the parties shall establish, to the detriment of the opposite party, on one of the frontiers of its territory, higher import or export duties than on any other frontier.

Furthermore, in the course of this period, Russia will neither prohibit the export of rough and unworked lumber, nor levy export duty on the same, in so far as it is not especially mentioned in No. 6 of the directory of export duties, nor prohibit export or levy export duty on all kinds of ores.

4. Russia will not claim the advantages which Germany will grant to Austria-Hungary or any other country connected with her by customs union, either

immediately adjoining Germany or another country connected with her or with Austria-Hungary by customs union.

Colonies, outlying possessions and territories under protectorate in this respect are placed on the same basis as the mother country.

Germany will not claim the advantages which Russia will grant to another country connected with her by customs union, either immediately adjoining Russia or another country connected with her by customs union, or to colonies, outlying possessions or territories under the protectorate of a country connected -with her by customs union.

5. In so far as in neutral countries there are located goods exported from Germany or Russia and subject to prohibition of import into the territory of the other contracting party either directly or through the intermedium of another country, such limitations as to the disposition of same shall be canceled as regards the contracting parties. Both contracting parties, therefore, obligate themselves to advise immediately the governments of neutral countries of the above-stated cancellations of the limitations mentioned.

6. Privileges granted by one of the contracting parties during the time of the war to other countries in the form of concessions or other state measures, must be revoked or extended to the opposite party by granting equal rights.

7. In so far as in the tariff supplement A, or elsewhere, there are no stipulations to the contrary, the general Russian customs tariff of the 13th/2Bth January 1903 shall be applied for the whole period of the activity of the present provisorium and of the favored-nation principle granted for both by clause 2.

8. The agreements which existed between Germany and Russia on the 31st of July 1914 in regard to Russian sugar remain in force during the time of tile present provisorium and during the action of the mutual, most-favored nation principle established by clause 2.

9. The contracting parties are agreed that, with the conclusion of peace, the war terminates also in the sense of economic and financial relationship. They obligate themselves not to participate either directly or indirectly in measures having the aim of continuing hostilities in economic or financial spheres and to hinder such measures in the boundaries of their state territories by all means in their power.



In the course of the intermediate period required for the removal of the consequences of war and for the organization of new relations, the contracting parties obligate themselves not to create, as far as possible, any difficulties in the way of the acquisition of necessary goods in the form of introduction of high import duties, and express their willingness to enter immediately into negotiations for the purpose of maintaining and enlarging, as far as possible, the customs facilities established during the time of war.

## **SUPPLEMENT 1 TO APPENDIX II**

### **ARTICLE 1**

The subjects of one of the contracting parties, who have settled on the territory of the opposite party or reside temporarily on the same, shall enjoy, in their commercial and business activities, the same rights as the native inhabitants, and shall not be subjected to higher or, in general, to special taxes. In the territory of the opposite party they, in all respects, shall enjoy the same rights, privileges, franchises, advantages and exemptions as the subjects of the most-favored nation.

Both parties are, however, agreed that special laws, decrees and orders, relating to trade, commerce, industry and police, which govern or will govern in either of the contracting countries, and which apply to all foreigners, will not be affected by these considerations.

### **ARTICLE 2**

The subjects of both contracting parties shall have the right, on the territory of the opposite party, on a basis of equality with the native inhabitants, to acquire, to possess and to manage movable and immovable property of every kind, as well as to dispose of the same in the way of sale, exchange, gift, matrimony, legacy or any other method, as well as to receive inheritances through will or on the basis of the law, without being subjected in any one of the cases mentioned, in one way or another, to higher dues, taxes or collections than native inhabitants.

Each of the contracting parties reserves the right to make exemptions from these stipulations for those parts of their respective territories which are declared to be boundary districts or fortress regions.

However, in none of the cases above mentioned shall the subjects of one of the parties, on the territory of the opposite party, be placed in a less favorable condition than the subjects of any third country.

The subjects of both contracting parties, under observance of the laws, may take out, unhindered, the proceeds of the sale of their property, and, in general, their belongings, without being obliged, in their capacities as foreigners, to pay special or higher dues than native inhabitants in the same circumstances.

On condition of observing the local laws, they shall have free admission to law courts, where they may appear as claimants or defendants, and shall enjoy in this respect all rights and advantages of native inhabitants, and also, like the latter, they will have the right to employ in every lawsuit the attorneys, business managers and other representatives admitted under the local laws.

### **ARTICLE 3**

The subjects of each of the contracting parties, on the territory of the opposite party, cannot be subjected to juridical, administrative or municipal duties, with the exception of guardianships. They also are exempt from any personal service in the army, Beet, reserve of the territorial army and of the navy, the national militia, as also from all duties, compulsory loans, military requisitions and work of any kind, imposed, in the case of war, or owing to exceptional circumstances; with the exception of duties connected, owing to some standard of rights, with the ownership of a parcel of land, and also the military quartering duty and other special duties for the active army, to which the native inhabitants are liable, and the subjects of the most-favored nation in their capacity of proprietors and lessees of real estate may also be liable.

### **ARTICLE 4**

Joint stock companies, and other commercial, industrial or financial companies, including insurance companies, which in accordance with existing laws have been formed lawfully and have their abode in one of the two countries, must be recognized by the opposite country as existing lawfully and in particular, enjoy in the same the right to conduct lawsuits in the courts in the capacity of claimants or defendants. Both parties, however, agree that the foregoing stipulation does not affect the question as to the admission of such companies, formed in one of the countries, to commercial or industrial activity in the other country, or non-admission of the same. This question depends, as heretofore, on the regulations already existing or to be introduced in the country in question.

In any case, the companies mentioned shall enjoy in the other country the same rights as have been granted or will be granted to analogous companies of any other country.

## **ARTICLE 5**

The contracting parties obligate themselves not to impede the mutual relations of both countries by any prohibitions of import, export or transit, and to permit free transportation.

Exceptions are only admitted for such articles as are or will be considered a state monopoly on the territory of one of the contracting parties, as also for certain articles respecting which exceptional prohibitional rules may be issued for reasons of hygiene, veterinary supervision or public safety, or for substantial political or economic reasons, especially in connection with the after-war intermediate period. During the after-war intermediate period, for the purpose of overcoming the consequences of the war, regulations may be issued limiting the intercourse, as well as prohibition of import, export and transit; they must be put into effect in such a manner as to be felt as lightly as possible, and as soon as circumstances permit they must be rescinded.

## **ARTICLE 6**

The products of Russian agriculture and industry imported into Germany, and the products of German agriculture and industry imported into Russia, must be on the same footing as the products of the most-favored nation, regardless of whether intended for consumption or for storage, for re-export or for transit. In no case, and for no reasons, must they be subjected to higher or special duties, assessments, taxes or collections, or to additional levies or prohibitions against import, if the same does not apply to analogous products of any other country. In particular, every advantage and facility, every exemption from and reduction of import duties of the general and conventional tariffs, which one of the contracting parties, permanently or temporarily, without a corresponding benefit or against compensation, will grant to a third country, shall be granted to the products of agriculture and industry of the opposite country without any conditions, restrictions or compensations.

## **ARTICLE 7**

The products of German agriculture and industry mentioned in the annexed tariff A, on being imported into Russia, and the products of Russian agriculture and

industry, specified in the annexed tariff B. on being imported into Germany, shall not be subjected to any special or higher import duty than that stipulated in the said annexes.(8)

Should one of the contracting parties assess any of the articles of the home markets, of production or manufacture, specified in Annexes A or B. for the benefit of the state exchequer by means of new internal taxes or excise, the analogous article when being imported can be taxed with an equal or corresponding duty on condition that this duty will be equal for the products of all countries.

## **ARTICLE 8**

Internal duties, which are levied or will be levied on the territory of one of the contracting parties for the benefit of the state, of communities and of societies for the delivery, production, transportation, sale or consumption of any article, may be levied on analogous articles of the opposite party, but under no pretext at a higher rate or in a more oppressive fashion than on the products of the home country. In so far as internal duties are levied on raw materials and half-finished products, the products made from these raw materials and half-finished products may be correspondingly covered by means of an import duty, even in case similar home products are not taxed directly.

Each of the contracting parties is entitled, for the Purpose of obtaining national income, to establish a monopoly on suitable articles, or subject the same to regulations analogous to a monopoly. In this case the foregoing regulations are made correspondingly applicable.

## **ARTICLE 9**

In exporting goods from either of the countries into the other, no special or higher export duties shall be levied than when exporting into the most-favored country. Furthermore, any advantage granted on exports of one of the contracting parties to a third country is automatically and without restriction extended to the opposite party.

## **ARTICLE 10**

Goods of any kind, passing through the territory of either of the parties, shall be exempt from any transit dues, irrespective of whether they are transmitted directly

or whether they are unloaded during the time of transportation, warehoused and then reloaded.

## **ARTICLE 11**

The stipulations of the present agreement do not affect:

1. Advantages which are granted or will be granted in the future to other adjacent countries for facilitating local intercourse, within a boundary zone of fifteen kilometers in width.

2. Advantages which either of the contracting parties grants or will grant in the future to another country on the basis of a customs union, either already in existence or to be established in the future.

3. Advantages which are granted now, or will be granted in the future, to arriving and departing inhabitants of the province of Archangel. However, German imports into that territory shall enjoy, to an equal extent, all customs advantages granted to any European or North American country.

## **ARTICLE 12**

Merchants, manufacturers, and other persons engaged in industrial enterprises who prove by means of presentation of a legal certificate issued to them by the authorities of their home country that they have the right to engage in commercial dealings in the country where they reside permanently, may, either personally or through commercial travelers in their employ, purchase goods on the territory of the other contracting party, or solicit orders, bringing with them samples of goods. The said merchants, manufacturers or other persons, engaged in industrial dealings, as well as commercial travelers, shall enjoy, in both countries mutually, the same rights as regards passports and dues on commercial dealings as do the subjects of the most-favored country.

Persons provided with a certificate entitling them to engage in industrial dealings (commercial travelers) may carry with them samples of any kind, but no goods. Articles, liable to duty, which are brought in by the above-mentioned persons, are exempted, by both parties, from duty both when importing and when exporting, but on the following conditions: If these articles are not sold, they must be taken out again within a year's time; furthermore, there must be no doubt as to the identity of the articles brought in and taken out again. It is immaterial through which customhouse the goods are taken out.

The taking out of samples of merchandise must be guaranteed, when imported, by making a deposit to the extent of the duty due, or by some other guarantees.

The contracting parties will inform each other as to what authorities are entitled to issue certificates for the privilege of engaging in industrial enterprises, of the form which these certificates will take, and the rules which the travelers must observe during the time of their industrial activities.

The subjects of either of the contracting parties, going into the territory of the other to visit fairs and bazaars, to trade or to sell their products, are mutually placed, by both parties, in the same position as the native inhabitants and shall not be subjected to higher duties.

### **ARTICLE 13**

In regard to mutual safeguarding of author's rights as regards literary, artistic or photographic products, the stipulations of the agreement concluded between the German Empire and Russia under date of February 28, 1913, will apply in the relations between Germany and Russia. In regard to mutual safeguarding of trademarks, the stipulations of the declaration of the 23d/11th of July, 1873, shall govern in the future.

### **ARTICLE 14**

German vessels and their cargoes in Russia, as well as Russian vessels and their cargoes in Germany, are placed on the same footing as local ships and cargoes, regardless of whence they sailed or their destination, and also regardless of the origin or the destination of their cargoes.

Every privilege and every advantage granted by one of the contracting parties to a third country, shall be extended automatically and without restriction to the opposite party.

However, exception is made from the foregoing stipulations:

(a) In regard to those special privileges which in either country now exist or will be granted in the future to the home fisheries and their produce;

(b) In regard to the privileges which now exist or will be granted in the future to the national merchant fleet.

The stipulations of the present agreement do not apply to coastwise shipping, which as heretofore, shall be regulated in both countries by the existing or future laws. However, in any case' German and Russian vessels shall be permitted to sail from a port of one of the contracting parties to one or more ports of the same country for complete or partial discharge of the cargo brought from abroad, or for lading or filling up a cargo destined for abroad.

## **ARTICLE 15**

The nationality of vessels is recognized by both parties in accordance with the laws and prohibitions of each country, on the basis of documents and letters patent issued by the proper authorities and found on the vessel.

Ship's certificates, issued by either of the contracting parties, are recognized by the other party in accordance with special agreements concluded, or yet to be concluded, between the contracting parties.

## **ARTICLE 16**

German vessels, arriving at a Russian port, and on the other hand, Russian vessels arriving at a German port, merely for the purpose of filling up their cargo there, or for partially discharging the same, may retain and bring out again a definite part of the cargo destined for another port of the same country or for another country on condition of observing the laws and prescriptions of the country in question; in this case they are not obliged to pay any dues for this part of their cargo with the exception of the fees of examination, which shall be levied at the rate established for local vessels.

## **ARTICLE 17**

From tonnage dues and clearance fees are wholly exempt, in the ports of either country:

1. Vessels arriving and leaving from any place in ballast;
2. Vessels coming from a harbor of one of the two countries into one or more harbors of the same country, which can prove that they have paid the said fees in one of the harbors of the same country;
3. Vessels which voluntarily or of necessity arrive with cargo at a port and leave it without having effected any trade.

This privilege does not extend to lighthouse dues, pilot dues, towage dues, quarantine dues, and other dues on ships, established for the requirements of traffic, which are paid equally by the local vessels and those of the most-favored nation.

If a vessel has come to the port through necessity, the discharge and reloading of goods necessitated by repairs to the ship shall not be considered as a trade dealing, nor shall be considered as such the transferring of cargo into another vessel on account of the unseaworthiness of the former, nor purchases necessary for the sustenance of the crew, nor the sale of deteriorated goods with the consent of the customs authorities.

## **ARTICLE 18**

In case a vessel of one of the contracting parties strands near the coast of the opposite country or is wrecked, the vessel, as well as the cargo, shall enjoy the same advantages and privileges which the legislature of the country extends to its own vessels in the same condition. Every assistance and protection shall be rendered to the captain and crew personally, as well as to the vessel and to her cargo.

The contracting parties are further agreed that salvaged goods shall not be subjected to customs duties unless the same will be turned over for local consumption.

## **ARTICLE 19**

The use of high roads and other roads, canals, locks, ferries, bridges and openings of same, harbors and quays, channel marks and lights, pilots, lifting cranes and scales, warehouses, coast guard and ship's property storing facilities, and so forth, in so far as these constructions or institutions are destined for general communication for general commerce, irrespective of whether they are managed by the state or by private persons with the consent of the state, shall be granted to the subjects of the opposite contracting party on the same conditions and against payment of equal dues as to the subjects of the home country.

With the exception of deviations permissible in regard to lighthouses and pilots, these dues shall only be levied if the above-mentioned constructions and institutions have actually been utilized.

## **ARTICLE 20**



Both contracting parties reserve the right to establish railway tariffs at their own discretion.

However, neither in respect to freight rates nor in respect to the time and method of forwarding shall any difference be made between the subjects of either contracting party. Especially on consignments of goods coming from Russia and destined for a German station, or passing through Germany in transit, no higher rates shall be levied on German railways than on similar German or foreign products going in the same direction and on the same section of the road. The same shall apply on Russian railways for consignments of goods from Germany destined for a Russian station or passing through Russia in transit.

Exceptions from the foregoing stipulations are admissible only in so far as consignments at reduced rates for public or charitable purposes are concerned.

## **FINAL PROTOCOL**

### **PART I**

#### **TO THE TEXT OF THE TREATY**

##### To ARTICLE 1

Household effects which have already been in use and movable property of subjects of either contracting party who intend to settle on the territory of the opposite party, shall be exempt in the latter from any import duties.

German official consulates and the employees of diplomatic and of said consular institutions dispatched to Russia, shall have the right to receive newspapers and works of science, art and literature, entirely exempt from the Russian censorship.

The privileges and advantages accorded, as per Article 2 of the treaty between Germany and Russia of the 8th of December/26th of November, 1874, to consular employees, are also extended to special officials attached to German Consulates in Russia and also to the agents of the Russian financial department and their secretaries (or attaches) in Germany.

##### To ARTICLES 1 AND 12

In the question of passports the subjects of both countries are placed on the footing of the most-favored nation.

The passport visa in Russia holds good for six months. This decision includes the visa of the passports of German commercial travelers of the Hebrew faith.

The fee for issuing foreign passports to Germans living in Russia is not to exceed fifty kopeks.

Russia will in the future also allow a term of twenty-eight days for the use of certificates available within the limits of a frontier line of thirty kilometers allowing the possessor the right of repeatedly crossing the frontier at any place as at present. This term will be reckoned by both parties from the day on which the certificate is first used for crossing the frontier, but these certificates expire if not used for the first time at the latest within fifteen days of the date of issue. Allis term of twenty-eight days is in no way influenced by the beginning of a new year during the time for which the certificate is available. Certificates in the two languages, German and Russian, are to be given by either country only to its own subjects and to such subjects of the other state who reside in the country in which the certificate is issued.

The day on which the frontier is crossed will in future be marked on the certificate by both Russian and German authorities,, according to both the Russian and German calendar. Certificates will be given in future, as at present, both to Christians and Hebrews.

Both contracting parties wit; allow their subjects to pass temporarily to the territory of the other party for agricultural and trading purposes and will raise no obstacles particularly as regards passport regulations. The representatives of organizations under state inspection which were established on the territory of one party, for the purpose of acting as agents enlisting such workmen, and regarding which the government of this party will notify the government of the other party, shall be admitted within the territory of the latter and may unhindered exercise their functions as agents.

Russian workmen entering Germany for agricultural or other kindred occupations, must be provided as hereto, free of charge, with legal documents valid from February 1 to December 20, new style. These papers must be written in the Russian and German languages.

TO ARTICLE 3

Inasmuch as the subjects of a third state, on the strength of existing treaties and agreements, are exempt in Russia from guardianship, German subjects in Russia must enjoy the same privilege in respect to minors of non-German extraction.

#### TO ARTICLE 6

Veterinary measures introduced by the German Government with regard to Russian import cannot be applied more strictly than with regard to states which, in respect to contagious diseases of animals and in respect to veterinary institutions, are in the same condition as Russia.

This regulation does not concern agreements in respect to veterinary measures between Germany and Austria-Hungary.

The number of live pigs which according to existing regulations may be imported into Upper Silesia is increased to 2,600 per week.

Meat, which by the German law of meat supervision of June 3, 1900, is considered as prepared, is allowed to be imported into Germany in accordance with regulations of the law referred to.

The permissions stipulated in paragraphs 3 and 4 of the present regulation, may be temporarily suspended or annulled, if this is necessitated by veterinary or police considerations.

#### To ARTICLES 5, 6, 7, 9, AND 10

As in Russia at the present time certain goods are subject to higher customs duty when imported across the inland frontier than when imported by the Baltic Sea, the parties have agreed that from the day of the coming into force of the present treaty, the duties on imports across the inland frontier are lowered to the duty rates on imports by the Baltic Sea and that no reduced customs tariff be introduced favoring imports by sea.

The German Government on its part binds itself not to introduce on any frontier of the German Empire or more favorable customs duties than on its eastern frontier.

#### To ARTICLE 6

The German Federal Council will not avail itself at any time during the life of the present treaty of its right to revoke the permissions given for establishing mixed elevators for grain in transit at Königsberg, Danzig, Altona, Mannheim and Ludwigshafen.

To ARTICLES 6, 7, AND 11

The agricultural and industrial productions of a third country, which have been transported through the territory of one of the contracting parties, when imported into the other country are not subjected to special or higher customs duties than if directly imported from the place of their origin.

To ARTICLES 6 TO 9

The Russian Government agrees to accept German gold coin in payment of customs duties, at the exchange of 1,000 marks gold for 462 rubles (1 ruble=1/15 imperial). The Russian customhouses will accept in payment German imperial bank notes at the same rate of exchange.

To ARTICLES 6 AND 7

In respect to the import of goods, which are subject, according to their origin, to different customs duties, the contracting parties reserve the right to demand certificates of origin as evidence of domestic production or manufacture. Both parties will take care that the above certificates shall restrict trade as little as possible.

To ARTICLE 12

In order to exercise in Russia the rights provided for by paragraph 1 of Article 12, the persons there mentioned should be provided with special trade certificates, government fees for which should not exceed 150 rubles for a whole year and 75 rubles for the second half of the year. Persons provided with the said trade certificates, desiring to exercise the right stipulated in paragraph 1 of Article 12, by means of commercial travelers in their employ, the latter should be provided with special personal trade certificates, fees for which must not exceed 50 rubles for a whole year and 25 rubles for the second half of a year.

Trade certificates, provided for by part 1 of the present regulation, may be issued in the names of persons going to Russia, and in this case these persons do not need to provide themselves with personal certificates. When issuing trade

certificates and collecting fees for same, no distinction is made between those professing the Christian and the Hebrew religions.

Inasmuch as the import of firearms into Russia is not prohibited, German merchants may bring with them samples of such weapons, but only under the express condition of submission to all general and local regulations actually in force, or which may subsequently be introduced regarding firearms.

#### To ARTICLE 14

The contracting parties reserve to themselves the right of concluding a special agreement regarding navigation and rafting on inland waterways which directly or indirectly connect both countries. Until the conclusion of this agreement German vessels, their crews and German raftsmen on Russian inland waters and Russian vessels, their crews and Russian raftsmen on German inland waters may be engaged on an equal footing with the native inhabitants, in towing and trading navigation, including the transportation of passengers as well as rafting.

German vessels bound for Russia on inland waterways connecting both countries and intending to return to Germany, are admitted into Russia without payment of import customs duty or deposit in guarantee of same.

The term within which such vessels are obliged to return to Germany is two years from the day of their arrival in Russia. Should a vessel be sold in Russia or remain there more than two years, the corresponding import duty must be paid. Should the vessel be delayed, owing to circumstances beyond the captain's control, such as low water level, damage demanding considerable repairs, and other similar reasons, the above-mentioned term must be extended. Import duties are not levied should the vessel be lost through fire or wreck.

No fees are levied at issue of certificates stipulating the return of vessels and payment of import duties.

The certificate of the ship's gauge will be deposited with the Russian customs authorities for the term of the vessel's stay in Russia.

#### To ARTICLE 20

The contracting parties will support each other, as far as possible, in the question of railroad tariffs, in particular by means of establishing direct freight tariffs. The above direct freight tariffs should be established to facilitate the export

from Russia. as well as the import to Russia, in accordance with the demands of trade, particularly regarding the German ports, Danzig (Nenfahrwasser), Königsberg (Pillau) and Memel.

In respect to produce, relating in the Russian railroad tariff to grain, also in regard to flax, hemp and timber, freight tariffs from Russian stations of departure to the above-named ports must be drawn up and distributed amongst German and Russian railways participating in the transportation, in accordance with the actual regulations regarding Russian railways leading to the ports of Libau and Riga, or such regulations as may be subsequently introduced.

The same applies also in the case of re-forwarding Additional rates collected, besides the freight tariff rates, must be drawn up in the same manner and the total, in agreement with Russian regulations, must be divided between the railroads concerned; in this connection an agreement has been arrived at to the effect that only one frontier tax be collected, charged equally to the Russian and German lines leading to the frontier.

Special regulations for the arrangement of matters concerning competition between Königsberg and Danzig which are valid at the present time, remain in force.

Tariff privileges granted by German and Russian railways in respect to goods imported by sea, must, at the demand of the interested government, be granted by railways leading from the frontier, in respect to similar products, from the frontier to the receiving station. In this case the extent of privileges, calculated per kilometer or per verst, in the instance of communication across the inland frontier, should be the same as in the instance of communication through seaports.

No distinction, especially to tariff rates, should be made in regard to the nationality of vessels of the contracting parties, in case the imported goods are further transported by rail or by inland waterways.

The Russian government will see to it that railway freight tariffs, for transportation from Russia to Germany of phosphorates and other phosphates, as well as ores, should not be increased to a greater extent than corresponding to the general average increase of the Russian railway tariff in proportion to the distance, in the same way as it was used as a basis of these tariffs prior to August 1, 1914 (July 19).

At the desire of the German Government, these tariffs will be applied to new stations of departure and destination.

The contracting parties agree that, in regard to railway affairs, mutual relations of intercourse will be the same as before the war between Germany and Russia, and that all deterioration which could arise by the subdivision of the Russian railway system into independent railway systems will be as far as possible avoided. To this end both parties are prepared to concur in a convention, obligatory to the railways of Germany, Russia and of the countries and self-governing districts which have detached themselves from the Russian state that would especially regulate the stipulations contained in Article 20 of the present treaty and in this concluding protocol, and that would reestablish the continuity of railway tariffs existing before the war, for communication with the ports of the Baltic Sea, the Black and the Azov Seas.

Remark: The tariffs mentioned in Appendices A and B are identical with the tariffs of the Russo-German trade treaty of 1904, and are therefore not cited here.

## **PART II**

### **TO CUSTOMHOUSE REGULATIONS**

1. The right to forward goods under customs control to other customs institutions is extended by both parties to all customhouses of the first class, which have no railroad communications with the customs institutions having warehouses under their control. However, the condition must be observed that such parcels are subject to corresponding laws and regulations.

2. Both parties agree that the customhouses of both countries must be open all the days of the year, excepting Sundays and legal holidays.

3. The time tables of office hours must be hung in the customhouses of both countries.

Office hours for examination of passports and legitimation cards must be fixed for each district and for each frontier crossing place by a special agreement between the respective departments of both countries. Both parties must fix the same hours, must consider local needs, and in the customhouses of the third class, in supplementary customhouses and in frontier crossing places, an interval must be fixed for the dinner of the employees.

4. Regarding the merchandise liable to customs duty imported by persons with a legal right to cross the frontier, a verbal declaration may be given in both countries and at all customhouses within the limit of their authorization, provided that the merchandise is not imported for the purpose of trade and that the sum flue as custom duty does not exceed fifteen rubles for imports to Russia and thirty-five marks for imports to Germany. According to this regulation, transfer offices have the right to collect duties and pass foodstuffs (with the exception of vodka and other spirits) and all household articles.

5. In addition to special regulations regarding river craft, all vehicles, together with the necessary appurtenances which during their importation serve for the carrying of passengers and freight, and which are only for this Purim temporarily brought into Russia by persons known to the Russian or German customs authorities, are admitted by Russian authorities duty free and without depositing security, if the carrier obligates himself to return within a specified tulle. The written obligation to this effect must be made out free of charge.

6. No special declaration of goods imported into Russia by land is necessary, if such are accompanied by a way bill. In such instances it is sufficient to present the way bill, at the time of entry, to the customs officer. The number of horses and vehicles in a transport as well as the total of way bills and packages are entered on one way bill which is signed by the chief of transport.

7. Flowers and plants, fresh fruit and fresh fish, as well as all perishable goods, must be cleared by both parties, except in case of force majeure, inside of twenty-four hours from the time of the arrival of goods at the customs Warehouse,

8. The charges for affixing marks certifying to the authenticity of the goods are not to exceed 5 per cent of the customs duty.

The charges for affixing marks certifying to the authenticity with regard to buttons, ribbons, lace, embroideries and furs, are not to exceed one kosher for each seal. The total charge for affixing seals in each individual case is not to exceed 5 per cent of the sum of the import duty. But if the interested person wishes that the merchandise should be sealed in a manner exceeding the usual manner for certification of authenticity, the said person is bound to pay an additional charge thereby incurred.

The stamping of German gold and silver articles is not liable to higher or special charges than the stamping of similar articles of home production.



9. Money charged for storing of imported goods in the warehouse must be collected by the Russian customs authorities only for the exact time of storage in the customs warehouses, beginning from the fourth day after the commencement of the customs examination.

However, the term during which no storage charges are made must be limited by the period provided in each customhouse for the notification of goods imported, that is five to fourteen days, with the addition of the term of three days provided for in the first paragraph.

10. During the term of the validity of this treaty, the Russian Government obligates itself not to alter in any way the stipulations of Articles 15 and 18 of the Berne convention of October 14, 1890, which determine the right of the sender to dispose of the goods.

11. The regulation stipulated in Article 292 of the Russian statute of May 15, 1901, concerning the importation of goods, according to which the difference between the weight declared and the actual weight of the goods, if not exceeding 5 per cent of the total weight of the goods, is exempt, is modified and the limit of the permissible difference is increased to 10 per cent of the total weight.

12. The right of complaint against the decisions of Russian customhouse authorities regarding fines for incorrect or fraudulent declaration, or regarding the tariff classifications of merchandise, belongs to the sender of the goods, as well as to the party handing in the declaration. Such complaints may be drawn up by the sender of the goods in the German language.

13. The term for presenting complaint in cases mentioned in paragraph 12, both for the sender and the party handing in the declaration, is fixed at two months from the date of communication of the decision of the customhouse to the party handing in the declaration.

As regards the tariff classification of goods, the sender has the right to lodge complaint during the above-mentioned term only in the event of the goods in question being in the customs warehouses.

14. German consuls in Russia and Russian consuls in Germany have the right to communicate directly, the former with the Russian customs department and the latter with the representatives of German customhouse authorities (provincial customs director, etc.), in regard to customs complaints pending before such authorities.

15. If the conductors, engine drivers and other railway employees of either of the two contracting parties are detected conveying contraband goods on trains into the territory of the other party, they will lose, at the demand of the respective customhouse authorities, the right to accompany trains to the frontier

16. All regulations regarding quarantine and veterinary police measures; to wit, orders to close or open the frontiers for any kind of merchandise, or of alterations in the respective local regulations and so forth, must be immediately, on publication, communicated to each other by each of the contracting parties.

All local measures undertaken at the initiative of the district representative (Landrat in Germany, Zemski Nachaluik, Ispravnik in Russia) must be directly communicated to the representatives of the districts of the other country. Such communication must contain the motives of the measures unless these are self-evident.

Measures undertaken in Germany by the Oberprasident or Regierungsprasident and those undertaken in Russia by the Governor General or Governor, must mutually be communicated to officials of corresponding rank. Communications informing the reasons for such measures must be conveyed through diplomatic channels.

Measures taken by the central authorities of both countries shall, together with the reasons therefor, be communicated through diplomatic channels.

Both parties agree that information regarding veterinary measures must be mutually communicated if possible before they are made public, and in any case not later than simultaneously with their publication.

Both Governments will exchange lists indicating the authorities of the parties who are to exchange communications according to the above.

17. Quarantine regulation against epidemic diseases must be applied by both parties to all travelers crossing the frontier, regardless of their nationality, in accordance with the danger of infection.

18. Neither party will impede the return of travelers who are sent back owing to absence of passport or non-payment of the customs duties; in circumstances mentioned above both parties must readmit even foreign subjects, especially in cases when they have not proceeded inland. The respective authorities of both parties shall agree regarding measures which will have to be undertaken.

Jewish emigrants of Russian origin bearing Russian emigration certificates and other parties sent back to Russia by German authorities, must be admitted by the Russian frontier authorities, provided these persons have not resided in Germany more than one month, counting from the day of crossing the German-Russian frontier.

19. The frontier authorities of both contracting parties must be instructed to convey all vagabonds and other persons possessing no passports and desiring to return to the territory of the opposite party whose subjects they are, exclusively to such customs offices as are in charge of the transfer of travelers.